

STATEMENT OF PURPOSE

RS18683C1

The purpose of this legislation is to provide a system whereby withdrawing or withholding treatment to developmentally disabled persons could be allowed if continued treatment would be futile or inhumane.

The legislation creates a voluntary process whereby physicians or surrogate decision makers may ask a hospital ethics committee to determine whether it is medically appropriate to withhold or withdraw treatment. If the ethics committee determines that it is medically appropriate to withdraw or withhold treatment, the patient or surrogates will be given time to transfer care to another willing provider.

Amendments also resolve issues that have caused concern or questions over the years, including identifying emancipating events that allow minors to consent to their own care; clarifying the hierarchy for surrogate decision makers; confirming that health care providers may still utilize DNRs (do not resuscitate); and confirming that surrogates may execute POSTs (physicians orders for scope of treatment) on behalf of the patient.

FISCAL NOTE

None

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